



General Assembly

Amendment

February Session, 2016

LCO No. 4322



Offered by:
SEN. FASANO, 34th Dist.

To: Senate Bill No. 72

File No. 26

Cal. No. 70

"AN ACT CONCERNING A NOTIFICATION OF SUPPORT FOR FOSTER PARENTS AND RELATIVE CAREGIVERS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2017*) Effective at 12:01 a.m.,
4 January 1, 2017, the executive director of the Court Support Services
5 Division of the Judicial Branch shall assume, and the Commissioner of
6 Children and Families shall cease to have guardianship, as defined in
7 subsection (a) of section 17a-90 of the general statutes, over all children
8 who on that date, by virtue of any order of the Superior Court or
9 Probate Court, are wards of or are committed to the Connecticut
10 Juvenile Training School or other juvenile detention center. The
11 executive director of the Court Support Services Division of the
12 Judicial Branch shall thereupon assume all liability and responsibility
13 for such children, and exercise such powers, duties and functions
14 regarding such children, as the Commissioner of Children and
15 Families in his or her capacity as guardian may now or hereafter have,

16 except to the extent that the federal government may require that any
17 responsibility for children be retained by the Commissioner of
18 Children and Families as a prerequisite to federal reimbursement of
19 state expenditures for such children under Title IV-A and B of the
20 Social Security Act. The executive director of the Court Support
21 Services Division of the Judicial Branch may delegate any power, duty
22 or function regarding such children, except for consent for adoption,
23 marriage and joining of the armed services and except to the extent
24 that the federal government may require that any responsibility for
25 children be retained by the Commissioner of Children and Families as
26 a prerequisite to federal reimbursement of state expenditures for such
27 children.

28 Sec. 2. (NEW) (*Effective January 1, 2017*) (a) (1) Wherever the term
29 "Commissioner of Children and Families" is used in the following
30 general statutes, the term "executive director of the Court Support
31 Services Division of the Judicial Branch" shall be substituted in lieu
32 thereof; (2) wherever the term "commissioner" is used in the following
33 general statutes, the term "executive director" shall be substituted in
34 lieu thereof; and (3) wherever the term "department" is used in the
35 following general statutes, the term "division" shall be substituted in
36 lieu thereof: 10-233k, 12-19a, 17a-3a, 17a-6b to 17a-8a, inclusive, 17a-10,
37 17a-12, 17a-13, 17a-27, 17a-27e, 17a-32, 17a-201b, 20-14i, 46b-120, 46b-
38 121, 46b-126, 46b-127, 46b-128a, 46b-134, 46b-140, 46b-141, 46b-141a,
39 46b-142, 46b-146 and 46b-149f.

40 (b) Wherever the term "Commissioner of Children and Families" is
41 used in any public or special act of 2015 (1) amending any section of
42 the general statutes listed in subsection (a) of this section, or (2)
43 involving the Connecticut Juvenile Training School or other juvenile
44 detention center, the term "executive director of the Court Support
45 Services Division of the Judicial Branch" shall be substituted in lieu
46 thereof. Wherever the term "Department of Children and Families" is
47 used in any public or special act of 2015 (A) amending any section of
48 the general statutes as listed in subsection (a) of this section, or (B)
49 involving the Connecticut Juvenile Training School or other juvenile

50 detention center, the term "Court Support Services Division of the
51 Judicial Branch" shall be substituted in lieu thereof.

52 (c) The Legislative Commissioners' Office shall, in codifying the
53 provisions of this section, make such technical, grammatical and
54 punctuation changes as are necessary to carry out the purposes of this
55 section.

56 Sec. 3. Section 4b-55 of the general statutes is repealed and the
57 following is substituted in lieu thereof (*Effective January 1, 2017*):

58 As used in this section, section 4b-1 and sections 4b-56 to 4b-59,
59 inclusive, unless the context clearly requires otherwise:

60 (a) "Commissioner" means the Commissioner of Administrative
61 Services;

62 (b) "Consultant" means (1) any architect, professional engineer,
63 landscape architect, land surveyor, accountant, interior designer,
64 environmental professional or construction administrator, who is
65 registered or licensed to practice such person's profession in
66 accordance with the applicable provisions of the general statutes, or (2)
67 any planner or financial specialist;

68 (c) "Consultant services" shall include those professional services
69 rendered by architects, professional engineers, landscape architects,
70 land surveyors, accountants, interior designers, environmental
71 professionals, construction administrators, planners or financial
72 specialists, as well as incidental services that members of these
73 professions and those in their employ are authorized to perform;

74 (d) "University of Connecticut library project" means a project to
75 renovate and improve the Homer Babbidge Library at The University
76 of Connecticut;

77 (e) "Firm" means any individual, partnership, corporation, joint
78 venture, association or other legal entity (1) authorized by law to
79 practice the profession of architecture, landscape architecture,

80 engineering, land surveying, accounting, interior design,
81 environmental or construction administration, or (2) practicing the
82 profession of planning or financial specialization;

83 (f) "Priority higher education facility project" means any project
84 which is part of a state program to repair, renovate, enlarge, equip,
85 purchase or construct (1) instructional facilities, (2) academic core
86 facilities, including library, research and laboratory facilities, (3)
87 student residential or related student dining facilities, or (4) utility
88 systems related to such projects, which are or will be operated under
89 the jurisdiction of the board of trustees of any constituent unit of the
90 state system of higher education, except The University of Connecticut
91 provided the project is included in the comprehensive facilities master
92 plan of the constituent unit in the most recent state facility plan of the
93 Office of Policy and Management pursuant to section 4b-23;

94 (g) "Project" means any state program requiring consultant services
95 if the cost of such services is estimated to exceed three hundred
96 thousand dollars;

97 (h) "Selection panel" or "panel" means the State Construction
98 Services Selection Panel established pursuant to subsection (a) of
99 section 4b-56 or, in the case of a Connecticut Health and Education
100 Facilities Authority project pursuant to section 10a-186a, means the
101 Connecticut Health and Education Facilities Authority Construction
102 Services Panel established pursuant to subsection (c) of section 4b-56;

103 (i) "User agency" means the state department or agency requesting
104 the project or the agency for which such project is being undertaken
105 pursuant to law;

106 (j) "Community court project" means (1) any project to renovate and
107 improve a facility designated for the community court established
108 pursuant to section 51-181c, and (2) the renovation and improvement
109 of other state facilities required for the relocation of any state agency
110 resulting from the placement of the community court;

111 (k) "Connecticut Juvenile Training School project" means a project
112 (1) to develop on a designated site new facilities for a Connecticut
113 Juvenile Training School in Middletown including, but not limited to,
114 preparing a feasibility study for, designing, constructing,
115 reconstructing, improving or equipping said facility for use by the
116 Department of Children and Families, and on and after January 1,
117 2017, the Court Support Services Division of the Judicial Branch, which
118 is an emergency project because there is an immediate need for
119 completion of said project to remedy overcrowding at Long Lane
120 School; said school shall have an annual average daily population of
121 not more than two hundred forty residents; or (2) to develop a separate
122 facility for girls including, but not limited to, acquiring of land or
123 buildings, designing, constructing, reconstructing, improving or
124 equipping said facility for use by the Department of Children and
125 Families, and on and after January 1, 2017, the Court Support Services
126 Division of the Judicial Branch;

127 (l) "Downtown Hartford higher education center project" means a
128 project to develop a higher education center, as defined in
129 subparagraph (B) of subdivision (2) of section 32-600, and as described
130 in subsection (a) of section 32-612, for the regional community-
131 technical college system;

132 (m) "Correctional facility project" means any project (1) which is
133 part of a state program to repair, renovate, enlarge or construct
134 facilities which are or will be operated by the Department of
135 Correction, and (2) for which there is an immediate need for
136 completion in order to remedy prison and jail overcrowding; and

137 (n) "Juvenile detention center project" means any project (1) which is
138 part of a state program to repair, renovate, enlarge or construct
139 juvenile detention centers which are or will be operated by the Judicial
140 Department, and (2) for which there is an immediate need for
141 completion in order to remedy overcrowding.

142 Sec. 4. Section 4b-58 of the general statutes is repealed and the

143 following is substituted in lieu thereof (*Effective January 1, 2017*):

144 (a) (1) Except in the case of a project, a priority higher education
145 facility project, a project, as defined in subdivision (16) of section 10a-
146 109c, undertaken by The University of Connecticut, a community court
147 project, a correctional facility project, a juvenile detention center
148 project, and the downtown Hartford higher education center project,
149 the commissioner shall negotiate a contract for consultant services with
150 the firm most qualified, in the commissioner's judgment, at
151 compensation which the commissioner determines is both fair and
152 reasonable to the state. (2) In the case of a project, the commissioner
153 shall negotiate a contract for such services with the most qualified firm
154 from among the list of firms submitted by the panel at compensation
155 which the commissioner determines in writing to be fair and
156 reasonable to the state. If the commissioner is unable to conclude a
157 contract with any of the firms recommended by the panel, the
158 commissioner shall, after issuing written findings of fact documenting
159 the reasons for such inability, negotiate with those firms which the
160 commissioner determines to be most qualified, at fair and reasonable
161 compensation, to render the particular consultant services under
162 consideration. (3) Whenever consultant services are required for a
163 priority higher education facility project, a project involving the
164 construction, repair or alteration of a building or premises under the
165 supervision of the Office of the Chief Court Administrator or property
166 where the Judicial Department is the primary occupant, a community
167 court project, a correctional facility project, a juvenile detention center
168 project, or the downtown Hartford higher education center project, the
169 commissioner shall select and interview at least three consultants or
170 firms and shall negotiate a contract for consultant services with the
171 firm most qualified, in the commissioner's judgment, at compensation
172 which the commissioner determines is both fair and reasonable to the
173 state, except that if, in the opinion of the commissioner, the
174 Connecticut Juvenile Training School project needs to be expedited in
175 order to meet the needs of the Department of Children and Families,
176 and on and after January 1, 2017, the Court Support Services Division

177 of the Judicial Branch, the commissioner may waive such selection
178 requirement. Except for the downtown Hartford higher education
179 center project, the commissioner shall notify the State Properties
180 Review Board of the commissioner's action not later than five business
181 days after such action for its approval or disapproval in accordance
182 with subsection (i) of section 4b-23, except that if, not later than fifteen
183 days after such notice, a decision has not been made, the board shall be
184 deemed to have approved such contract.

185 (b) In determining fair and reasonable compensation to be paid in
186 accordance with subsection (a) of this section, the commissioner shall
187 consider, in the following order of importance, the professional
188 competence of the consultant, the technical merits of the proposal, the
189 ability of the firm to perform the required services within the time and
190 budgetary limits of the contract and the price for which the services are
191 to be rendered.

192 Sec. 5. Section 17a-3 of the general statutes is repealed and the
193 following is substituted in lieu thereof (*Effective January 1, 2017*):

194 (a) The department shall plan, create, develop, operate or arrange
195 for, administer and evaluate a comprehensive and integrated
196 state-wide program of services, including preventive services, for
197 children and youths whose behavior does not conform to the law or to
198 acceptable community standards, or who are mentally ill, including
199 deaf and hearing impaired children and youths who are mentally ill,
200 emotionally disturbed, substance abusers, delinquent, abused,
201 neglected or uncared for, including all children and youths who are or
202 may be committed to it by any court, and all children and youths
203 voluntarily admitted to, or remaining voluntarily under the
204 supervision of, the commissioner for services of any kind. Services
205 shall not be denied to any such child or youth solely because of other
206 complicating or multiple disabilities. The department shall work in
207 cooperation with other child-serving agencies and organizations to
208 provide or arrange for preventive programs, including, but not limited
209 to, teenage pregnancy and youth suicide prevention, for children and

210 youths and their families. The program shall provide services and
211 placements that are clinically indicated and appropriate to the needs of
212 the child or youth, except that such services and placements shall not
213 commence or continue for a delinquent child who has attained the age
214 of twenty. In furtherance of this purpose, the department shall: (1)
215 [Maintain the Connecticut Juvenile Training School and other
216 appropriate facilities exclusively for delinquents; (2) develop] Develop
217 a comprehensive program for prevention of problems of children and
218 youths and provide a flexible, innovative and effective program for the
219 placement, care and treatment of children and youths committed by
220 any court to the department, transferred to the department by other
221 departments, or voluntarily admitted to the department; [(3)] (2)
222 provide appropriate services to families of children and youths as
223 needed to achieve the purposes of sections 17a-1 to 17a-26, inclusive,
224 17a-28 to 17a-49, inclusive, and 17a-51; [(4)] (3) establish incentive paid
225 work programs for children and youths under the care of the
226 department and the rates to be paid such children and youths for work
227 done in such programs and may provide allowances to children and
228 youths in the custody of the department; [(5)] (4) be responsible to
229 collect, interpret and publish statistics relating to children and youths
230 within the department; [(6)] (5) conduct studies of any program,
231 service or facility developed, operated, contracted for or supported by
232 the department in order to evaluate its effectiveness; [(7)] (6) establish
233 staff development and other training and educational programs
234 designed to improve the quality of departmental services and
235 programs, which shall include, but not be limited to, training in the
236 prevention, identification and effects of family violence, provided no
237 social worker trainee shall be assigned a case load prior to completing
238 training, and may establish educational or training programs for
239 children, youths, parents or other interested persons on any matter
240 related to the promotion of the well-being of children, or the
241 prevention of mental illness, emotional disturbance, delinquency and
242 other disabilities in children and youths; [(8)] (7) develop and
243 implement aftercare and follow-up services appropriate to the needs of
244 any child or youth under the care of the department; [(9)] (8) establish

245 a case audit unit to monitor each regional office's compliance with
246 regulations and procedures; [(10)] (9) develop and maintain a database
247 listing available community service programs funded by the
248 department; [(11)] (10) provide outreach and assistance to persons
249 caring for children whose parents are unable to do so by informing
250 such persons of programs and benefits for which they may be eligible;
251 and [(12)] (11) collect data sufficient to identify the housing needs of
252 children served by the department and share such data with the
253 Department of Housing.

254 (b) (1) The department, with the assistance of the State Advisory
255 Council on Children and Families, and in consultation with
256 representatives of the children and families served by the department,
257 providers of services to children and families, advocates, and others
258 interested in the well-being of children and families in this state, shall
259 develop and regularly update a single, comprehensive strategic plan
260 for meeting the needs of children and families served by the
261 department. In developing and updating the strategic plan, the
262 department shall identify and define agency goals and indicators of
263 progress, including benchmarks, in achieving such goals. The strategic
264 plan shall include, but not be limited to: (A) The department's mission
265 statement; (B) the expected results for the department and each of its
266 mandated areas of responsibility; (C) a schedule of action steps and a
267 time frame for achieving such results and fulfilling the department's
268 mission that includes strategies for working with other state agencies
269 to leverage resources and coordinate service delivery; (D) priorities for
270 services and estimates of the funding and other resources necessary to
271 carry them out; (E) standards for programs and services that are based
272 on research-based best practices, when available; and (F) relevant
273 measures of performance.

274 (2) The department shall begin the strategic planning process on
275 July 1, 2009. The department shall hold regional meetings on the plan
276 to ensure public input and shall post the plan and the plan's updates
277 and progress reports on the department's web site. The department
278 shall submit the strategic plan to the State Advisory Council on

279 Children and Families for review and comment prior to its final
280 submission to the General Assembly and the Governor. On or before
281 July 1, 2010, the department shall submit the strategic plan, in
282 accordance with section 11-4a, to the General Assembly and the
283 Governor.

284 (3) The commissioner shall track and report on progress in
285 achieving the strategic plan's goals not later than October 1, 2010, and
286 quarterly thereafter, to said State Advisory Council. The commissioner
287 shall submit a status report on progress in achieving the results in the
288 strategic plan, in accordance with section 11-4a, not later than July 1,
289 2011, and annually thereafter to the General Assembly and the
290 Governor.

291 Sec. 6. Section 46b-143 of the general statutes is repealed and the
292 following is substituted in lieu thereof (*Effective January 1, 2017*):

293 The clerk in charge of juvenile matters shall note the time of filing
294 an appeal from a juvenile matter and forthwith forward to the clerk of
295 the Appellate Court a certified copy of the appeal and order made
296 thereon. He shall also send a copy by registered or certified mail to the
297 Commissioner of Social Services, [or to] the Commissioner of Children
298 and Families or the executive director of the Court Support Services
299 Division of the Judicial Branch, to the petitioner upon whose
300 application the proceedings in the Superior Court were instituted,
301 unless he is the appellant, to any person or agency having custody of
302 any child or youth who is a subject of the proceeding, and to all other
303 interested persons as designated in the appeal; and if the addresses of
304 any such persons do not appear in the appeal, he shall call the matter
305 to the attention of a judge of the Superior Court who shall make such
306 an order of notice as he deems advisable.

307 Sec. 7. Section 46b-121i of the general statutes is repealed and the
308 following is substituted in lieu thereof (*Effective January 1, 2017*):

309 (a) The Judicial Department shall:

- 310 (1) Coordinate programs and services of the juvenile justice system
311 with other state and municipal agencies, boards and commissions;
- 312 (2) Develop and use intake and assessment procedures for the
313 evaluation of juveniles;
- 314 (3) Provide case management for juveniles;
- 315 (4) Provide pretrial diversion and postconviction programs;
- 316 (5) Coordinate community-based services for juveniles and their
317 families which promote appropriate reintegration of the juvenile with
318 his family, school and community; [and]
- 319 (6) Through the Court Support Services Division, maintain the
320 Connecticut Juvenile Training School and other juvenile detention
321 centers; and
- 322 ~~[(6)]~~ (7) Provide other programs and services necessary to the
323 juvenile justice system.
- 324 (b) In developing its programs, the Judicial Department shall:
- 325 (1) Develop risk and assessment instruments for use in determining
326 the need for detention or other placement at the time a juvenile enters
327 the system;
- 328 (2) Develop a case classification process to include the establishment
329 of classification program levels and case management standards for
330 each program level. A program level is based on the needs of the
331 juvenile, his potential to be dangerous and his risk of offending
332 further;
- 333 (3) Develop a purchase-of-care system, which will facilitate the
334 development of a state-wide community-based continuum of care,
335 with the involvement of the private sector and the local public sector.
336 Care services may be purchased from private providers to provide a
337 wider diversity of services. This system shall include accessing Title

338 IV-E funds of the federal Social Security Act, as amended, new
 339 Medicaid funds and other funding sources to support eligible
 340 community-based services. Such services developed and purchased
 341 shall include, but not be limited to, evaluation services which shall be
 342 available on a geographically accessible basis across the state."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2017</i>	New section
Sec. 2	<i>January 1, 2017</i>	New section
Sec. 3	<i>January 1, 2017</i>	4b-55
Sec. 4	<i>January 1, 2017</i>	4b-58
Sec. 5	<i>January 1, 2017</i>	17a-3
Sec. 6	<i>January 1, 2017</i>	46b-143
Sec. 7	<i>January 1, 2017</i>	46b-121i